United Nations A/57/754–S/2003/313

General Assembly
Security Council

Distr.: General
13 March 2003
English
Original: French

General Assembly
Fifty-seventh session
Agenda item 33
Causes of conflict and the promotion of durable peace and sustainable development in Africa

Security Council
Fifty-eighth year

Letter dated 5 March 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Côte d'Ivoire to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you the text of the address by the President of the Republic, His Excellency Mr. Laurent Gbagbo, concerning the Marcoussis Agreement on the Ivorian crisis.

I should be grateful if you would have the text in question issued as a document of the General Assembly, under agenda item 33, and of the Security Council.

(*Signed*) Noël-Emmanuel **Ahipeaud Guebo**
Chargé d'affaires a.i.

03-28305 (E) 260303 270303

Annex to the letter dated 5 March 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Côte d'Ivoire to the United Nations addressed to the Secretary-General

Ivorian men and women,

My dear compatriots,

Friends living in Côte d'Ivoire,

I am addressing you once again today, as scheduled, to speak of the war, but I hope it will be to speak of the end of the war. Since 19 September 2002 Côte d'Ivoire has, as you know, been unjustly attacked. The aim was to carry out a coup d'état. That coup d'état failed. They installed themselves in Bouaké. And this failed coup d'état was transformed into an armed rebellion. Since then, in order to make peace, in order to obtain peace for my country, I have been going from country to country, from capital to capital: Accra, Dakar, Bamako, Lomé, and then recently Paris. While I was in Paris, after the political parties and the rebel movements had held the Linas-Marcoussis meeting, you rose up in anger. I did not wait five seconds, I came right away, because my place is among the people. When I arrived, I saw this anger. I heard this anger. So I decided to speak to you.

But before speaking to you, I decided to listen to you. I think there is a need to listen, to understand, to analyse, before speaking. That is why, in turn, I assembled all those who constitute the living strength of the nation. I listened to almost everyone. I listened for several days. I analysed, and today, the time has come for me to speak out for Côte d'Ivoire.

I should like to begin by thanking the international community. First, the Economic Community of West African States (ECOWAS), our neighbours, our friends — those who are condemned, with us, to live on this piece of earth known as West Africa. From the first days of this crisis, they came to our aid. I thank them for their commitment at our side. I thank them for all these arrangements they have offered for a peaceful settlement of this crisis. In particular, I thank the man who was Chairman of ECOWAS at the time when the crisis came to a head, President Abdoulaye Wade. I thank the man who was the first to approach us to discuss the Ivorian crisis, our neighbour, our friend John Kofuor, who is now current Chairman of ECOWAS. I thank General Gnassingbé Eyadéma, who for more than two months hosted the talks between the government forces and the rebel forces. I thank the European Union, which, through the successive heads of State presiding over it, lent us its support. Recently, at the Paris conference, the President of the European Commission, Romano Prodi, offered us major assistance if peace was restored. Along with the European Union, I thank France, which, within the European Union, played a vital role, a role of ensuring security on the ground in Côte d'Ivoire and an activist role in Europe and in the world to draw the other industrialized nations' attention to the case of Côte d'Ivoire. Naturally, and lastly, I thank the United Nations and its Secretary-General Kofi Annan, our brother, our neighbour. Since the start of this crisis, he has called me as often as he could. He supports our cause. Wherever we are, he is present or, symbolically, he sends a representative. I am grateful to him for having drawn the attention of the United Nations to the unjust fate that has been ours. The United Nations has already adopted two resolutions. I am grateful for that.

Now, I should like to speak to the people of Côte d'Ivoire, my people. What can I say to you? ... We are together. We are together. I have always known you, and you have always known me. I think that is what some people fail to see. I know you and you know me. I have never betrayed you, I never will betray you. I am aware that you yourselves have never betrayed me ... you accompanied me on my way to Paris with a moving escort. Cries of joy were mingled with tears. From Cocody to the airport, you were massed along the road. When I returned in haste from Paris, after 11 p.m., you were still there, along the road, encouraging me to resist, encouraging me to stand firm. From the airport to Cocody, you were still there. I am grateful to you, for that is the reward for the work we are doing together. This reward is beyond price.

Since 1990, you have continually lent me your warmth and your support. Only God will be able to thank you. In any event, I as a man will do everything I can to deserve your trust always. When I say that I hail the people, I hail the people as a whole. But I hail the young people, mobilized as never before, the women, the workers ... all of these people who have just demonstrated again the legitimacy that is mine to hold power.

The first time the people of Côte d'Ivoire gave me legitimacy was on 22 October, by voting for me in large numbers (more than 59 per cent of the vote — that is a very good result). The second time it gave me legitimacy was at the time when an attempt was made to overturn that vote. The people took to the streets in their thousands and went to seek in the streets what it had given me in the ballot box, that is, State power. Today, following the outbreak of this war, the people is giving me a third legitimacy by being there on the streets every day to explain that they voted for a man, and that he is the man they support. That they put a power in place, and that they support that power. That is the message you are sending to me, that is the message you are sending to the world ... I am with you. I will not betray you.

We are engaged together in a democratic revolution. I think that often, people do not see clearly what is happening in Africa and in Côte d'Ivoire. But in Côte d'Ivoire, there is a democratic revolution. The visible part of this revolution began in 1990. But its gestation was long, difficult and painful, and during it some of our comrades in the struggle lost their lives. Some were overcome by discouragement and gave up the struggle. We who are here before you today, we are the survivors of that struggle. And you are right to pay tribute to us for all the hardships we endured for you, for all the humiliations we have been subjected to and for all the whole thorny path we have travelled. I am with you. We are together and I will never betray you. I ask you now not to bear a grudge against the politicians who were there in Marcoussis and in France. All of them, whatever party they are from, whatever position they hold, were motivated by a single desire, bring back peace. None of them was a traitor. Each of them felt he was doing right. It is for us today, and more particularly for me, the head of State, to accept everything that was done by the political parties which were at Linas-Marcoussis. I call on the political parties themselves not to shoot at one another. This is the time to unite.

This is the time to unite to save Côte d'Ivoire, to find the way of peace. The way of peace is difficult to find. It is not an easy way. It is not a wide, six-lane tarmac road. It is a track that sometimes cannot be seen, rocky, sandy, full of thorns. That is the way of peace ... Let every politician everywhere do his work in order to

find the way of peace for the whole of Côte d'Ivoire. Those who stumbled, who have missed their way and fallen, let us stretch out our hand to them to raise them up. Let us not shoot at them. In politics, there are two courses. There is betrayal, which is a voluntary act, and there is error, which is an involuntary act. If someone is a traitor, then yes, let us shoot at him. If he has not betrayed, but has made a mistake in good faith, let us stretch out our hand to raise him up.

Dear friends, dear compatriots, do not shoot at your representatives who were at Linas-Marcoussis, for I am convinced that each of them, so far as he was concerned, wanted to do good work. At this level of discourse, we need to show solidarity with all the victims of the war, an unexpected war, and therefore one that was not prepared for. I am referring in the first place, obviously, to those who died. Among the dead, we must distinguish those who, like Boga Doudou, did not have the chance to flee; those who were found in their beds and murdered in cold blood, because their death was programmed — Dagrou Loula, Dally Oblé, Colonel Yodé ... we will not forget them and we do not forget them and we cannot forget them. Victims of a nameless and totally unjustified barbarism, they died for us. And they died because people wanted to kill us, all of us.

But they are not the only victims, there are their wives, their children, whom we do not have the right to forget. I have a thought for all the refugees, all those who, surprised by the war, sought refuge in neighbouring countries — something unthinkable for Ivorians! Ivorians refugees? On the contrary, it is Côte d'Ivoire which was the land that welcomed all refugees, from West Africa and elsewhere. Today, this war has turned this situation upside down. Ivorians are refugees in Mali, in Guinea, in Liberia, in Ghana ... I should like to say to them that we have set up mechanisms for bringing them back to the country. Some, because they have not yet been brought back, believe that they have been forgotten. Can a mother forget her children? Can the nation forget its citizens? No, they are not forgotten. It is because of the slowness of the logistics we have put in place, because of the flight schedules, that they appear to have been forgotten. They will all come back. And those who have been displaced, these modern day refugees who are refugees in their own country? Many of them have lost everything.

To the foreigners living in Côte d'Ivoire, I should like to say this: despite the propaganda of hatred being unfurled against Côte d'Ivoire, some of them are telling the truth. They refuse to leave because they are safe. And even others who are virtually compelled to leave are speaking out. This war is absurd and contemptible. The attack on Côte d'Ivoire was an attack on the heart of West Africa. Now, everyone understands this.

An attack on Côte d'Ivoire is an attack on the heart of West Africa. All honour to those of whom it is said that we do not like them and who say that they still feel better in a Côte d'Ivoire at war than in their country of origin, and are here. I hail them and I say that there is no better witness than their presence among us. Before going on to analyse briefly the Marcoussis text, I should like to commend our defence and security forces, which today are in the front line. I mean in the first place the army, the army and the ground forces, the air forces, the navy and, in line with our current organizational structure, the fire brigade, the gendarmerie, which I hail because it paid a heavy price. The police, which was transformed by the force of events from police force, that is to say a force for the day-to-day maintenance of order, into a fighting force. The anti-riot squad, in particular, played a fighting role

like a military force. The custom service ... Ah, the customs! I was so proud of them. During this time of crisis, it collected more duty than our peacetime forecasts. The Forestry Commission, the Fire Brigade, I hail them in the first place because they bore the brunt of the aggression. The Chief of Staff was attacked in the night of 18-19 September. His men formed the front at a time when a column of rebels was trying to cut the Bingerville road to prevent them coming. They broke through. They came to the aid of the gendarmes penned into the Gendarmerie School. That night, the Gendarmerie School was the scene of the most violent clash. A dark night, a night of sorrow, a night of tears. The gendarmerie was attacked on several fronts. The home of the gendarmerie's top commander was attacked and machine-gunned. The gendarmerie camp at Agban, the famous gendarmerie camp at Agban, was surrounded and machine-gunned. The rebels even got inside, they tried to take the armoury and the powder magazine and to wipe out the whole of this elite corps, who succeeded in throwing off their attackers. The Gendarmerie School was attacked with heavy weapons — anti-tank rocket launchers — and our men gained the upper hand. The police, the Yopougon anti-riot squad, was surrounded and attacked with heavy weapons. All of these units fought valiantly, they fought off the enemy and drove him out of Abidjan. Honour and glory to our armed forces. Today, the rebels are occupying part of Ivorian territory. They are broadcasting on all the radio stations. They say they occupy 60 per cent of the territory. I have not done any sums to know exactly the percentage of the territory they occupy. But what is certain that our armed forces, our gendarmerie, our police, have succeeded in ensuring the security of 90 per cent of the economy, and 90 per cent of economic production is under the control of the government forces. This is why Côte d'Ivoire is continuing to live normally. What is certain is that our defence and security forces have been able to ensure the security of 82 per cent of the population ... There you have the truth. That is the truth, and that is also why this coup d'état failed. This, my dear friends, is why I say honour and glory to our defence forces, to our security forces. Now we are going to talk about the subject of your anger. When I returned home, one of my friends said to me "Does the people which is in the streets, in your view, have reasons to be in the streets?".

Now we are going to talk about the subject of your anger. When I returned home, I have friends who asked me if the people that was in the streets was in my view wrong to be in the streets. I told them no. And that if I was not President of the Republic, I would be with them in the Place de la République. I understand your anger. At a time when the discussions were not over, it was unbearable to see a rebel appearing on television to announce that he was minister of defence and his friend was minister of the interior — that is what sparked things off. From that moment on, no one was prepared any more to really look at what was going on in Marcoussis and Paris. That is why I say that if I was not President of the Republic, I would be in the street with you. For your rights. That is why before making any analysis, I would like to underline two points. The army of Côte d'Ivoire, the gendarmerie of Côte d'Ivoire and the police of Côte d'Ivoire will not be disarmed. This aspect, which is in the Marcoussis text and which was qualified in the annexes, has been the subject of a number of telephone calls and a number of approaches by the French Government, which has assured me that this was a bad reading and that it was never the intention of those who drafted the document that our defence and security forces should be disarmed. So I can reassure you that there is no question at all of Côte d'Ivoire's armed forces, gendarmerie and police being disarmed. Let that be clear to everyone.

The second point is that I have not yet formed a Government.

Thus there can be no question of saying that such and such a ministry belongs to such and such a person, or another to someone else. Ministers are assigned only when the President of the Republic, in exercise of the powers you conferred on by electing him, powers confirmed by the Constitution, signs the decree appointing the Government of the Republic. I have not appointed any Government.

And now I can go back to the text of the Marcoussis agreements and speak about them. We can talk freely about the Marcoussis text. First of all, I want to say that there is a great difference between the Lomé talks and the Marcoussis talks. The Lomé talks were organized by President Eyadéma, coordinator of the ECOWAS contact group on Côte d'Ivoire. He asked me to send him a State delegation to discuss with the rebel group. So I designated a balanced delegation made up of members of all the parties, members of the Government, an officer from the armed forces, a gendarmerie officer and a police officer. The discussion went on for two months. The essential point is that it was the State that was discussing directly with the rebels. In the case of Linas-Marcoussis, the inviting power, that is to say France, directly invited political parties, seven of them. And, in addition to the designated parties, three rebel movements. Legally speaking, it was thus maintained that this was a discussion among private parties. But I am the Head of State, and the aim of the discussion was to seek peace in Côte d'Ivoire. I thus cannot say that I reject this text, even though the State was not a direct party to the discussion. That is not possible. The text which came out of Marcoussis is a compromise text. I said in Paris that no compromise text is good. All the compromise texts I know of are all bad texts. But we have to live with them. They are poorly made texts but we have to work with them. The most salient aspects of the Marcoussis text, as far as what is not good is concerned, are those parts where the text is in contradiction with the Constitution of Côte d'Ivoire. For example, in the Marcoussis text the prime minister to be appointed cannot be removed until 2005. This is incompatible with the Constitution, which provides that the President of the Republic appoints the prime minister and dismisses him. There are a few points like that where an attempt was made to edge our presidential regime in the direction of a parliamentary regime. But we are not under a parliamentary regime. We are under a presidential regime, and the cornerstone of all the institutions is the President of the Republic.

I intend to retain all the prerogatives assigned to me under the Constitution.

I intend to resume all the responsibilities specified in the Constitution. That is why I tell you that the Marcoussis text cannot be regarded as a second Constitution. Between the Marcoussis text and the Constitution, I will apply the Constitution. That is why I have already said that everything to be found in the Marcoussis text, or the alteration of such and such an article of the Constitution or such and such a law, cannot be regarded as proposals, because we are not going to divest the people of its prerogatives where a referendum is concerned and we are not going to divest the National Assembly of its prerogatives when it comes to passing laws. That said, the Marcoussis text was written in the spirit of seeking a solution to our current problem.

All those who worked at Marcoussis are therefore to be thanked, for their aim is to find peace and we Ivorians, today, are seeking peace. And this text affirms outright the principle of the territorial integrity of Côte d'Ivoire. It affirms respect for the institutions of the Republic, restoration of the authority of the State over the

whole of the national territory, condemnation of coups d'état, and the ballot box as the only way of acceding to power. This is why I invite you, my dear compatriots, to accept the spirit of the Marcoussis agreements as a working basis. We are not alone.

The whole of the international community is watching us. Since the adoption of this text, ECOWAS, the African Union, the European Union and the United Nations have been calling us to say, "Don't worry, adopt the text and the necessary adjustments can be made afterwards. Otherwise we are with you." We cannot live as if we were alone. We cannot live as if we were cut off from the world.

I should like to say to all those who have lent us support and who have appealed to me over the past ten days to say that I accept and commit myself to the spirit of the Marcoussis text. I do not know how to cheat, I am not a trickster. So I do indeed accept the spirit and the overall framework of the Marcoussis agreements. That, moreover, is why in Paris I signed a decree to appoint the Prime Minister, Seydou Diarra, after consulting with those who were present in Paris. I know that his appointment is annoying to many of you, and that you are angry with me about it. I understand you. You are angry for two reasons, first because I did it in Paris, even if I did do it in our embassy. Next, because you did not want your Government, which was doing such a good job for you, to change. I understand you. But I made an analysis. I say, for the time being let us keep the support of the international community. It is pushing me to move towards a compromise, I am making this compromise, and it is for you that I have made this compromise. I said just now that the Constitution will apply.

Let Seydou Diarra carry on his consultations and propose a government to me. Your protection is that the last signature is always mine. That is your protection. A document that I have not signed is not valid. So you have the assurance that your man, your brother, is here and that he is watching over your interests. Let Seydou Diarra work, let him propose to us a government capable of working for the rapid restoration of peace in Côte d'Ivoire. If Seydou Diarra's appointment can bring us peace in Côte d'Ivoire, I do not regret having appointed him. But if his appointment is to heighten the confrontation and take us further away from peace, we will soon know. Until we have let him work, we shall not be able to tell. It is I who ask your forgiveness. I ask your forgiveness for all the mistakes that may have been made in Marcoussis or in Paris. I ask your forgiveness for everything that may have offended you. I have already told you that I am not a planter, or an industrialist, or a trader. My only interest is that this mandate you have given me should succeed and that you should have what you have never had. That is my only interest. So I am going to work for the implementation of the Marcoussis agreement.

I am going to work for the application of the Marcoussis agreement. I am going to work for the implementation of this agreement insofar as this agreement is not in contradiction with our Constitution. You need not worry as far as that is concerned, nothing will be done contrary to what you have decided. On the contrary, all we are going to try to do is any attempt to re-establish peace. We have already tried Accra. We have tried Bamako. We have tried Lomé. We have tried Dakar. But let us try again. Marcoussis and Paris, let us try again. It is we who are seeking peace, it is we who are asking. It is our country which is divided, we are seeking, let us try this. And if it doesn't work, we shall see, but if it does work, and I hope it will work, because we are tired of the war, if it does work, well, we shall all be able to smile again.

Dear compatriots, let us show patience. Let us show tolerance. I have called for unity, and there is no unity without tolerance. Let us try this new remedy. We have been offered many remedies, I have already indicated to you the Accra remedy, the Dakar remedy, the Lomé remedy, the Bamako remedy. We have not been cured, that is why we are still where we are. And I like the expression used by Thabo Mbeki in Paris, where he said: "We Africans, we have come to Paris because we did not find a solution in Africa"; that is our tragedy. So let us try this medicine, and let us see to it that it cures us. If it does not cure us, we shall try another medicine. But for the time being, let us trust in this medicine, and let us do everything so that it will cure us, so that it will rescue us from the state of war.

I am determined to liberate this country. I am determined to see to it that the authority of the State extends throughout the country. I am determined to leave to my successor the whole of the country as I received it. Set to work! Set to work! Let us all set to work! You know that what makes Côte d'Ivoire is its capacity to produce wealth. If we are envied, it is because we work. I would remind you that we are all the same the number one cocoa producer. I would remind you that we have 40 per cent of the wealth of the West African Monetary and Economic Union (WAMEU). We are not going to lose that. Let us set to work. Pupils, students, go to school. If I have to call on you to defend the motherland, I will call on you. Let us show tolerance. Let us show trust in one another. God bless Côte d'Ivoire!

Thank you.

United Nations A/57/755–S/2003/314

General Assembly
Security Council

Distr.: General
14 March 2003
English
Original: Arabic

General Assembly
Fifty-seventh session
Agenda item 36
The situation in the Middle East

Security Council
Fifty-eighth year

Letter dated 12 March 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a statistical breakdown of Israeli violations of Lebanese sovereignty committed during the month of February 2003 (see annex).

The breaches of Lebanon's sovereignty that Israel commits on land, at sea and in the air are in violation of the Blue Line and of the provisions of Security Council resolution 425 (1978), and they pose a threat to stability and promote a climate of tension in the region.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 36, and of the Security Council.

(*Signed*) Houssam Asaad **Diab**
Chargé d'affaires a.i.

03-28153 (E) 170303 180303

Annex to the letter dated 12 March 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

Statistical breakdown of Israeli violations committed during the month of February 2003

In the air				*At sea*	*On the ground*			*Total*	*Remarks*
					Military attacks	*Field violations*	*Infringements*		
Jet fighters	Reconnaissance aircraft	Helicopters	Total	Violations of territorial waters and launching of flares	Air raids and bombardment of military outposts and important centres	Artillery bombardments, shooting and placement of installations inside Lebanese territory	Threats and brandishing of weapons, earthmoving and placement of concertina wire inside Lebanese territory		
12	6	4	22	2	-	3	2	29	Total violations in previous month: 48 Table does not include violations in the occupied Shab'a farmlands and the Kafr Shuba hills area, a zone of military operations

United Nations A/57/756

General Assembly

Distr.: General
18 March 2003

Original: English

Fifty-seventh session
Agenda item 151
Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

Progress report on the status of the airfield services contract for the United Nations Organization Mission in the Democratic Republic of the Congo

Report of the Secretary-General*

Summary

The present report provides the status of the airfield services contract for the United Nations Organization Mission in the Democratic Republic of the Congo.

* The consultative process between Headquarters and the field to ensure that operational aspects were duly taken into account resulted in the delayed finalization of the report.

03-28557 (E) 200303

I. Introduction

1. In its resolution 56/252 B of 27 March 2002, the General Assembly endorsed the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions on the proposed budget of the United Nations Organization Mission in the Democratic Republic of the Congo (A/56/845) and requested the Secretary-General to ensure their implementation. The Assembly also requested the Secretary-General to take into consideration the concerns and options referred in paragraph 99 of the report and to submit a progress report to the Assembly for its consideration during the second part of its resumed fifty-sixth session.

2. In compliance with that request, the Secretary-General submitted a progress report (A/56/938) on 10 May 2002. In its resolution 56/252 C of 27 June 2002, the General Assembly requested the Secretary-General to report further on the status of the airfield services contract in the Mission to the General Assembly at its fifty-seventh session.

3. The present report therefore provides information on the status of the airfield services contract and progress made since then.

II. Background

4. Airfield support requirements in the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) encompass a range of critical tasks essential to the Mission that include cargo handling, passenger services, meteorological services, emergency crash rescue services (medical and firefighting), air terminal operations centre coordination services and a project management office to manage contractor activities. Services are provided to a number of airfields in MONUC with the number varying in response to the Mission's operational requirements. Currently, services are provided at five airfields by a joint venture of Pacific Architects and Engineers Incorporated-Government Services (United States of America) and Daher International (France).

5. The previous progress report (A/56/938) referred to the intention of the Secretariat to negotiate a six-month extension to the existing contract. However, the contractor did not agree to such an extension based on the contractual requirement stating an option only for a 12-month extension and not part thereof. Subsequent negotiations with the contractor resulted in an agreement for a nine-month extension, with the contract thus terminating on 31 March 2003. During mid-November 2002, negotiations with the current contractor took place to resolve outstanding matters. Agreements reached included a significant reduction of cost based on actual requirements and the contractor releasing the Organization from any potential claims that may have arisen from the provision of services under the existing contract. Those agreements are being finalized as a contractual amendment.

III. Actions taken

6. As set out in the aforementioned progress report, it had been decided to replace the airfields services contract and, to that end, to explore the following five options

to ensure the uninterrupted provision of services to MONUC: United Nations international and local staff; military contingents; local contractors; international contractors; or a combination of those options.

7. A working group comprising representatives of the Logistics Support Division in the Department of Peacekeeping Operations, the Procurement Division in the Office of Central Support Services and the General Legal Division in the Office of Legal Affairs of the Secretariat was formed at Headquarters to support MONUC in that task. In its work, the group took due account of the issues referred to in the reports of the Advisory Committee on Administrative and Budgetary Questions and the Office of Internal Oversight Services concerning the prior contract solicitation and award process to ensure that the concerns raised have been addressed.

8. As a first step, MONUC, in close consultation with the working group, completed a comprehensive reassessment of all requirements related to the provision of airfield services in support of its operations. On the basis of the defined refined and updated requirements, the following activities were undertaken to put in place appropriate support arrangements.

9. The Secretariat hosted a special troop contributors meeting to elicit offers for specialized military units capable of carrying out all or part of the required airfield services. Some 86 potential troop contributors were canvassed and expressions of interest that met some of the requirements were received from two countries (Uruguay and Bangladesh). In addition, troop-contributing countries were briefed on the requirements in the context of MONUC phase III developments. Assessment teams were sent to each of those countries to review the equipment and support capabilities and the team's report assessed that the countries, to varying degrees, could support up to five airfields (three from Bangladesh and two from Uruguay). It was decided that those offers were more appropriate to support the MONUC phase III task force activities. MONUC intends to use those task force resources in the more remote and potentially hazardous airfields in the east of the Mission area. A subsequent offer from Sweden is also being assessed with likely employment at a major airfield in the east, if accepted.

10. MONUC undertook a market survey of potential local contractors in the Mission area. The Mission advised that the survey determined that very few local contractors were available to undertake part of the required services and that none was available to undertake all of the services.

11. The Secretariat undertook a survey of potential candidates for United Nations international staff as a means of meeting some of the requirements for those services. A range of potential positions was advertised through vacancy announcements and nearly 250 applications were received from both external and internal sources. After a review of those applications, it was determined that less than 30 per cent of the candidates were assessed as being suitable for the advertised positions. In most cases the number of applicants assessed as being suitable ranged from zero to five. It was concluded that it was not possible to secure the numbers of qualified personnel within the time frame needed, but that United Nations international staff could possibly fill some selected management and technical positions to help meet the required services.

12. The Secretariat undertook research on the international market, including the publication of an online request for expressions of interest, and carried out several

web searches to ascertain the potential availability of suitable international contractors. Based on the results of those efforts, the request for proposal was eventually issued to 46 firms.

13. The Secretariat undertook a business case analysis to determine the best options for meeting the requirement. The above-mentioned five options for providing the required services were examined. The working group determined that the analysis illustrated that the preferred option for the United Nations would be a combination of all of the options, giving the Mission the maximum flexibility and resources within the projected funding to meet its requirements, particularly noting the inevitable changes to MONUC operational and support plans that were likely to occur. However, it was also recognized in the analysis that use of local contractors over and above those already employed to support airfield operations was unlikely, but that MONUC should monitor local contractor capability for possible future employment where suitable. It was also concluded that, though international staff were assessed as the most expensive option, their employment in senior positions, such as airfield manager and airfield technical services adviser, provided management and quality assurance benefits. It was further assessed in the business case analysis that, based on the expected troop contributor responses, any available military units would be best employed to provide those services in the more isolated and potentially insecure locations.

14. Technical and contract management staff in MONUC developed a scope of work, which was then reviewed by the Secretariat to ensure that it described the then anticipated range of tasks and level of effort required of a potential contractor. The scope of work used existing international standards for aviation operations, airfield activities and aviation safety to develop a baseline against which proposals would be assessed. It was developed on a cost plus performance fee basis that allows the United Nations to select, activate and pay only for the services that are required to be performed. The scope of work also incorporated a quality assurance surveillance programme based on international standards, which will allow MONUC to monitor the performance of the contractor adequately and use the results to determine the level of fee to be paid. Furthermore, a detailed set of evaluation criteria against which the vendor's proposals would be reviewed was developed and explained in the request for proposal issued to potential proposers.

15. The International Civil Aviation Organization (ICAO) was requested to provide a specialist to assist in the review of the request for proposal and thereafter provide technical support during the evaluation process. As ICAO was unable to do so, a suitably qualified external consultant, known as the request for proposal adviser, was competitively selected through commercial processes to review the scope of work, the evaluation criteria and the overall request for proposal package and to assist in the evaluation of proposals received. The request for proposal adviser participated in the site visit in MONUC, reviewed and made recommendations to improve all associated documentation and participated in the evaluation of the proposals. The working group concluded that the adviser provided an expert and unbiased assessment of the rebidding process and the evaluation conclusions. The adviser's report concurred with the process and the results of the evaluations.

16. The request for proposal also included a model contract developed with the Office of Legal Affairs. The purpose of including that document in the request for

proposal was to ensure that all potential contractors were fully aware of the proposed contract management methodology and terms of the agreement to be in place upon award. In particular, it was desired that proposers be cognizant of the terms that allowed the United Nations to select only those services required, change the scope of work and amend the service requirements to reflect changes in the MONUC requirements and the mechanisms by which that would be done.

IV. The request for proposal solicitation process

17. The request for proposal, dated 9 September 2002, was issued to 46 firms and scheduled to close on 4 November 2002. It stipulated that potential bidders, to be eligible for further consideration, must attend a site visit arranged by MONUC. That visit commenced on 1 October 2002 and lasted 10 days, with five international companies and two local companies participating. Representatives participated in visits to all applicable airfields, received comprehensive briefings on the required services, the MONUC operating environment and the method of contract management and had several opportunities to submit requests for clarifications. Representatives from the Secretariat also participated. The request for proposal closing date was extended to 18 November 2002 after it was noted that local firms had received the request for proposal approximately five days after international firms and to allow for the consideration of clarifications issued by the Secretariat in response to questions raised by the potential bidders during and after the site visit.

18. By the closing date for the submission of proposals, four proposals, including an alternate proposal, were received. Proposals were submitted in three separate volumes — technical, management and cost.

V. Request for proposal evaluation and contract recommendation

19. A joint team, consisting of representatives from MONUC and the Logistics Support Division, undertook the evaluation of the technical and management proposals. The joint team was divided into two components — the first component completed a detailed assessment and scoring of each technical and management proposal. The second component reviewed and assessed the scoring to ensure that all factors had been considered. Both components then arrived at a consensus assessment for the technical and management evaluation.

20. In its report, the joint team concluded that, although all proposals were found to be technically acceptable, the proposal submitted by one vendor was considered superior to the others. It may be noted that during the official opening of proposals, pertinent pages of each copy of the proposers' cost offers were affixed with a time stamp and the submissions secured and retained by the Procurement Division. No copies of the cost proposals were provided to the joint team evaluating the technical and management proposals. Thus, the work of the joint team as described above was undertaken with no knowledge of the cost proposals. The cost proposals were not reviewed until the written results of the technical and management evaluation were finalized.

21. The Procurement Division's cost evaluation indicated that the lowest bidder was the same as that assessed by the joint team as having submitted a superior bid. Similar to the review and verification process of the technical and management evaluation, those cost findings were reviewed and verified by the MONUC team. Detailed assessments of all cost submissions were undertaken and calculations made on the costs submitted by the proposers to ensure that cost comparisons were concluded on an identical basis for all bids, as some variations between the proposals were noted.

22. Having established the recommended awardee, the possible contributions of the potential specialist military contingent components available for the provision of the required airfield services were then reassessed by the joint team, in accordance with the concept established in the business case analysis. In that regard, it will be recalled that the model contract forming part of the request for proposal reflected the MONUC requirement to have flexibility in the selection of services and sites at which they were located. That reassessment finalized a recommendation for the distribution of airfields between the civilian contractor and the military contingents. All evaluations and assessments were in parallel transmitted to MONUC, with a request for its concurrence. MONUC, after discussion and comment, advised formal concurrence.

23. The case was presented to the Headquarters Committee on Contracts on 19 December 2002. The Committee unanimously recommended approval of the proposed award and commended the staff of the Procurement Division, the Department of Peacekeeping Operations and MONUC on the quality and thoroughness of the presentation.

24. Final contract negotiations with the recommended vendor are now being undertaken to conclude a contract to commence the services from 1 April 2003.

25. During the rebidding process, the Office of Internal Oversight Services was kept apprised of developments.

26. Based on recent developments with possible troop-contributing nations, the current planning for use of resources as at the date of the present report is as follows. It is planned to use the commercial contractor for services at Kinshasa, Kisangani, M'bandaka, Kananga and Kalemie. Contingent resources would be deployed to Kindu, Manono, Bukavu and other phase III airfields as requirements develop, noting that the task force airfield contingents will be primarily dedicated to the support of task force activities. Dependent on airfield service contingent deployment dates and the dynamics of the Mission, those plans could change. Adjustments would be made as deployment dates were finalized.

VI. Conclusion

27. **The Secretariat has undertaken a detailed and thorough exercise to replace the existing airfield services contract in MONUC. That effort will result in the provision of the required services through two principal sources, military units and an international civilian contractor. The new contract should take effect on 1 April 2003.**